



JPW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hajime MIZUTANI et al.

Group Art Unit: 3722

Application No.: 10/762,505

Examiner: E. CADUGAN

Filed: January 23, 2004

Docket No.: 110797.01

For: METHOD AND APPARATUS FOR CONTROLLING MOVEMENT OF CUTTING  
BLAD AND WORKPIECE

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

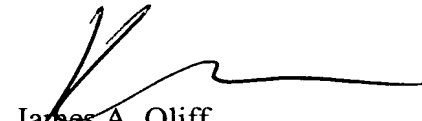
In reply to the January 6, 2005 Restriction and Election of Species Requirement, Applicants provisionally elect Group I. Within Group I, Applicants provisionally elect the Species of Figure 13. Claims 1-6 read on the elected species. Claims 1-2 are generic to all species. These elections are made with traverse.

It is also respectfully submitted that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction and Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: February 4, 2005

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